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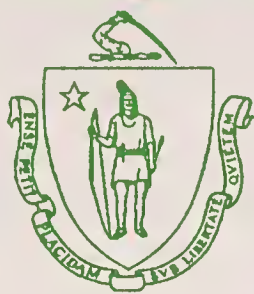


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AGENDA: URBAN ISSUES

To: The Citizens of Massachusetts

The Commonwealth's urban areas are in a state of crisis. News about gangs, violence, drugs, arson, mortgage and medicaid scams, and urban environmental pollution, are simultaneously met by reports of budget cuts for police, fire departments, schools, and training and recreation programs.

In the face of this adversity, many people have worked tirelessly to win back the cities for themselves and their children. People in Lawrence, New Bedford, Worcester, Springfield, Holyoke, Boston and other urban centers have created, staffed, and supported violence prevention programs, drug awareness and treatment programs, job training programs, urban revitalization programs, and programs to improve communication between police departments, and the people they serve.

No single group or discipline can solve complex urban issues alone. Law enforcement has a major role to play; but improving law enforcement's ability to respond swiftly, surely, sensitively, and constitutionally — without more — will have little impact. The law enforcement community, the schools, elected officials, religious leaders, the business community, the press, community groups, social service agencies, students and other urban area residents must work together in a unified and cohesive manner to win back their cities.

Each city must confront the underlying causes of urban violence in ways appropriate for their community. For this reason, I hosted a statewide conference in June of this year to provide a model to the cities for initiating the kind of multidisciplinary action that I believe is so crucial. Sharing ideas and solutions is essential to addressing the problems of urban violence state-wide. Communication, coordination, and cooperation are the keys to success.

Communication is the reason for this newsletter. It is designed to assist in the dialogue and information sharing process. We ask that you give us your comments and suggestions for future editions, and urge you to consider proposing or even writing articles. We hope that you will find this newsletter to be interesting, informative, and helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Harshbarger'.

Scott Harshbarger

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I. URBAN ISSUES FOCUS

By making urban issues one of his four central office-wide priorities, Attorney General Harshbarger has chosen to focus his office's limited resources, whenever possible, to cases which will have an impact on urban areas. In the past year and a half several cases have been brought against those who took advantage of residents in low-income neighborhoods. The following are examples of some of those cases brought by the AG's office.

\$40 MILLION FOR HOUSING MADE AVAILABLE

Beginning in the summer of 1991, an unusual sequence of events took place across cities and towns in Massachusetts. Income poor, inner city and suburban home owners were targeted to enter high interest rate mortgage loan transactions involving home improvements. Many home owners, who had considerable equity in their homes, were persuaded to enter into unconscionable loan settlements. The lenders were more interested

in the equity these home owners had built up, than in the ability of the consumers to repay their loans based on their monthly income.

In several cases, when the consumers could no longer repay these second mortgages, lenders foreclosed on the homes and entire families were evicted.

After learning about the home improvement mortgage scams, the Office of the Attorney General began investigating and prosecuting unscrupulous lenders, brokers and contractors. In July, 1991, a Home Improvement Mortgage Task Force was formed by drawing upon the resources of numerous divisions within the AG's office. The Task Force issued dozens of subpoenas, interviewed hundreds of consumers and sought the advice of various banking and lending industry experts to prosecute those who engaged in schemes aimed at stealing the homes of consumers.

The Task Force has initiated thirteen actions relating to home improvement and mortgage scams in the past year, including actions against several banks, mortgage companies, home improvement companies, individual home improvement salesmen and mortgage company executives.

Settlements were reached with banks in the Boston area including BayBank, Shawmut, Fleet, Quincy, South Shore, and USTrust. As a result of these settlements over \$40 million in restitution, low interest loans and low income housing will be made available to benefit those who have been victimized.

The remaining actions involved mortgage companies, home improvement companies, individual home improvement salesmen and mortgage company executives. Those actions continue to be litigated.

To obtain a copy of the HIMS report from the Attorney General's office, please contact George Weber at 617-727-2200.

LOW-INCOME CONSUMERS RECEIVE ADDITIONAL TELEPHONE SERVICE

In early September a settlement was agreed upon between New England Telephone and the Office of the Attorney General. The settlement provides more affordable basic telephone service to low income consumers in the Commonwealth.

According to an analysis of census data, a quarter of the homes in Massachusetts of people with incomes under \$10,000 have no phone. Yet, customers in Roxbury, Dorchester, and Mattapan, which are predominantly lower-income communities, subscribe to optional custom calling services at a proportion that is double to triple the statewide average for those services. As part of the agreement with the Attorney General, NET will modify its practices regarding the sale of such optional services to low income customers, and will expand its efforts to inform low-income customers about the availability of Lifeline and Link-Up discount programs offered by NET.

Under federally-established Lifeline and Link-Up programs, qualifying low-income consumers can receive a 50% discount on installation charges, a year to pay off the balance and a \$7 per month discount from monthly rates.

THE ENVIRONMENT

The environment is an essential part of any plan to revitalize our cities. The quality of urban life demands that we value the environmental resources

of our cities as much as those in the countryside or on our ocean or lake shores.

The Environmental Protection Division of the Attorney General's office and the Massachusetts Environmental Strike Force have undertaken the following legal actions and initiatives involving urban environmental crimes in order to ensure environmental equity:

- Criminal convictions for illegal dumping in Worcester and Fall River resulting in the incarceration of one defendant, who was also ordered to pay cleanup costs; another defendant had to pay nearly \$22,000 in fines and cleanup costs.

- A \$109 million settlement between the Commonwealth, the federal government and several private companies to clean up the pollution they caused in New Bedford Harbor

- A lawsuit against Conrail for allegedly violating state environmental protection laws by unnecessarily idling its trains at urban yards throughout the state. A Superior Court judge issued a preliminary injunction preventing Conrail from continuing the practice in warm weather until the pending suit is resolved

All of these actions send the clear message that protection of the urban environment will be vigorously pursued by the AG's office.

LEAD PAINT POISONING

Lead paint poisoning is estimated to be a health hazard for as many as half of the children under six in poor-inner city neighborhoods, where much of the housing is both old and deteriorated.

In December, 1991, the Attorney General's office formed a statewide task force to identify and recommend steps to deal with lead paint issues. The task force is comprised of state and federal agencies, local boards of health, and major related industries including: insurance, real estate, banking and deleading contractors, public interest advocacy groups, attorneys, health care professionals, neighborhood associations and others.

The goal of this task force is to assemble together individuals from a variety of backgrounds to articulate their concerns and bring their unique perspectives, knowledge, and creativity to the problem.

Four subcommittees were formed in order to carry out this goal.

- 1) screening and identification of children at risk
- 2) residential removal and disposal of lead paint
- 3) lead paint in non-residential settings
- 4) funding and liability issues

1) SCREENING AND IDENTIFICATION OF CHILDREN AT RISK

The subcommittee on screening and identification made recommendations concerning the distribution of information on lead poisoning, parent's rights regarding lead paint inspections, tenants right to pay rent into an escrow account for deleading purposes, and renters rights against landlord discrimination if they have children.

2) RESIDENTIAL REMOVAL AND DISPOSAL

This subcommittee was developed to consider whether lead inspectors are properly qualified and whether the methods that they use to conduct inspections are reliable and adequate.

3) LEAD IN NON-RESIDENTIAL SETTINGS

There are substantial gaps in the regulation of lead removal in non-residential settings, causing potential risks of poisoning to both children and workers. This subcommittee defined two main areas of concern. The first, banning new application of lead paint on metal structures and the second, improving training of non-residential deleaders.

4) LIABILITY AND FUNDING

This subcommittee sought sources of funding to help property owners pay for deleading, and considered amending some of the liability provisions contained in the lead paint statute. Some of the amendments considered included provisions for strict liability and treble damages, parental liability, who should be held to be an "owner" under the law, deleading on transfer of property, and various insurance coverage problems.

The Task Force published their findings in "The Report of the Attorney General's Lead Poisoning Task Force". To receive a copy of the report, please contact Richard McGuinness at the Attorney General's office, 617-727-2200.

The Task Force is planning to reconvene this fall to implement many of the subcommittees' recommendations.

II. AG ACTIVITIES

The Attorney General's office has been involved with urban activities in the courts, schools, and neighborhoods. The office created an Urban Court Strike Force, funded mediation programs in schools, and continued local consumer programs in the neighborhoods. These, and other initiatives are described in the following section.

IN THE COURTS...

URBAN COURT STRIKE FORCE

The Attorney General action plan for his office included providing Assistant Attorneys General to understaffed District Attorney's offices in urban areas. Carrying out this pledge, a total of fifteen Assistant Attorneys General have been placed in the district courts in Lowell, Lawrence, Boston, and Brockton.

Another three experienced attorneys from the Attorney General's office have been assigned as Special Assistant District Attorneys in Superior court in Suffolk and Essex counties, handling major crimes in those areas such as, arson, and murder.

Each LCP includes at least one staff person and volunteers trained in mediation skills. These individuals attempt to resolve consumer complaints through an informal process designed to reach a mutually agreeable settlement between the consumer and the business. If an agreement cannot be reached, a discussion of face-to-face mediation or redress through Small Claims Courts is explored, or a referral is made to other agencies with jurisdiction over the matter.

Last year over 16,000 written claims were processed with an 80% success rate.

For further information on the Local Consumer Programs in your area please contact Diane Szafarowicz at the Attorney General's office, 617-727-2200 .

IN THE NEIGHBORHOODS...

MEDIATION PROGRAMS

In 1978, the legislature established a Local Consumer Aid Fund within the Office of the Attorney General, the purpose of which is to provide financial assistance to eligible local or regional agencies that deal with the resolution of consumer problems. Today the fund is used to finance a group of Local Consumer Programs which are primarily responsible for evaluating and resolving consumer complaints of unfair and deceptive acts in trade or commerce.

Mediation programs are now established in eighteen communities across the Commonwealth, serving all 351 cities and towns in Massachusetts.

IN THE SCHOOLS...

SCORE PROGRAMS

In 1989, the Office of the Attorney General developed a pilot urban school mediation project, the Student Conflict Resolution Experts (SCORE) program, as part of its commitment to assist in the effort to prevent violence in urban schools.

As a result of its successful pilot programs, the OAG now provides SCORE funding to community mediation programs in Boston, Fall River, Lowell, Somerville, Springfield and Worcester. A total of eight high schools, and seven middle schools are involved in the program.

Experienced trainers from the Attorney General's office and community mediation programs conduct 20-25 hours of training in mediation skills for student peer mediators and interested teachers.

Mediators, who represent a true cross-section of the student body, including negative and positive leaders, receive training which involves role playing, skill-building exercises and games designed to provide an enjoyable, if somewhat intense, learning experience.

SCORE grants are awarded to well-established community mediation programs rather than to individual schools or school systems. Because existing community mediation programs hire and supervise the coordinators who work at the schools, mediation expertise is guaranteed and on-going funding is not affected by possible cuts in local education budgets.

The OAG requires that its funding be matched by funds from private foundations, school departments or local businesses.

SCORE RESULTS...

SOMERVILLE

Last year in Somerville 93 cases were referred to the program, 70 were mediated, 69 of them successfully. The program mediated disputes between 18 large groups, 4 involving more than sixteen parties. Of the 70 mediations, 37 were physical fights (19 of these fights occurred in the community), and 32 involved racial incidents. An interesting new development was that 4 incidents of sexual harassment were mediated.

In addition to all this activity, the Somerville program formed a Student Multi-Racial group, helped organize both a Multi-Cultural Fair and Multi-Cultural Dance, and responded to teachers' requests to lead classroom discussions on sexual harassment and racism.

For further information on SCORE please contact Kathleen Grant, Mediation Service Coordinator, Attorney General's office, 617-727-2200.

URBAN SCHOOL INITIATIVE

The Attorney General's office has established a Superintendent's Advisory Group to seek solutions for such diverse problems as school safety, security, violence, substance abuse, and hate crimes in urban high schools.

Comprised of eighteen superintendents from schools around the Commonwealth, the advisory group, meets on a quarterly basis to discuss issues confronting our urban high schools.

The advisory group focuses primarily on urban schools, designing workshops, conferences and training that concentrates specifically on how problems manifest themselves in urban areas, and what responses are realistic in those settings.

The first Urban School conference is tentatively scheduled for calendar year 1993. For more information regarding the Superintendents Advisory Group please contact Norah Wylie, Assistant Attorney General, Attorney General's Office, 617-727-2200.

III. AG'S LOCAL EFFORTS

The Attorney General's office has been in contact with local groups across the state to enhance the amount of communication flowing from one group and community to the next. It is through

communication and information sharing that problems become solutions and solutions become models for others to use as guides. The following are the AG's local efforts.

URBAN VIOLENCE CONFERENCE

On June 18, 1992, Attorney General Scott Harshbarger hosted a statewide conference on urban violence. The conference provided a model for developing local plans, in order to initiate programs and coordinate existing programs in urban areas.

The Urban Violence Conference brought together representatives from law enforcement, education, the clergy, the business community, the media and other community leaders. Essentially, the message was that each of these groups and disciplines must work together to develop a cohesive plan specifically designed to solve the problems of their particular city.

Feedback from those in attendance at the Urban Violence Conference indicated that this message hit responsive chords. Many expressed the view that they and others are working hard on the problems of urban violence, but that they are unaware of what others are doing. They also expressed the opinion that those working on this issue within their communities are going their separate ways with little or no communication or coordination, hence this newsletter and the resource book discussed below.

RESOURCE BOOK

As a result of feedback from the Urban Violence conference, the Attorney General's office is

compiling a Resource Book. The book will consist of a compilation of the individuals and organizations throughout the state who are presently working on issues of urban violence. We urge you to contribute to the book by informing the Attorney General's office of your own local community efforts designed to eliminate urban violence. Your solution to a particular problem may also be someone else's solution. If you have a program you would like to have listed in the resource book, please contact Carrie Smotrich, Deputy Chief of Staff, at 617-727-2200.

HANDBOOKS

Two citizen handbooks have been developed by the AG's office and Citizens For Safety. The first is a youth guide to the legal system and the second, a citizen's rights handbook.

Both guides provide valuable information regarding the adult and juvenile justice systems, what to expect from the courts, how they can expect to be treated by the police, and information about options outside of court.

The manuals are intended to be practical guides. Community empowerment, basic rights of undocumented immigrants, suggestions for parents on how to deal with children involved with gangs, and court related information are some of the issues addressed. However, the manuals are not intended to and should not replace a lawyer's advice regarding legal issues.

Both handbooks are available through Citizens for Safety and the Attorney General's Office. For further information, please contact Citizens for Safety at 617-266-2171 or the Attorney General's office at 617-727-2200.

IV. COMMUNITY GROUPS

We are asking for your active participation in this newsletter. Please tell us about your successful community programs so that other interested persons may learn from your experience. The following are a few of the programs that are currently under way across the state.

COMMUNITY POLICING IN LAWRENCE

A non-profit organization called GOAL/QPC was founded in 1978 in Lawrence, Massachusetts, to improve relationships between government, labor, and management. GOAL/QPC has grown into a \$10 million research and training organization specializing in understanding Total Quality Management.

The Lawrence Police adopted the TQM process and it allowed the Department to see that their citizens were most concerned with feeling safe and eliminating disorder problems in neighborhoods.

With the help of GOAL/QPC the Department started to gather information on Community Policing. GOAL/QPC sent a team of officers to Michigan State University for a seminar on Community Policing, and then to New York City to observe their Community Police Officer Program in action.

Community Policing requires a close working relationship between the officers and residents in a specific neighborhood. It encompasses the following three principles:

- 1) should be shared and practiced by the whole department
- 2) uses problem solving techniques to deal with neighborhood problems
- 3) problem solving involves both the line officers and the people living in a neighborhood

A team of 6 CPO's selected an initial target area and concentrated their efforts mainly on eliminating street level drug dealing. Residents and business people were encouraged to voice their concerns to CPO's through scheduled community meetings and/or by door-to-door CPO visits.

When the problems were under control in the initial target area, CPO's identified and concentrated on additional target areas. At the same time, maintaining a highly visible presence in the initial area to prevent problems from reappearing was a top priority.

Small successes and overwhelming positive feedback from neighborhoods left the Lawrence Police Department encouraged. A questionnaire was prepared to measure fear of crime and various social disorder and neighborhood decay problems as perceived by residents of neighborhoods in the city.

An increase in people participating in dealing with problems, getting involved in boarding up abandoned buildings, cleaning up parks, and setting up crime watch programs was recorded after Community Policing was implemented. Officers also reported receiving more information about criminal activity when a personal relationship was formed with the people in "their" neighborhood.

Overall, the Lawrence Police Department believe Community Policing is successful and something

they intend to implement department-wide. For further information on the Lawrence Police Community Policing please contact, Allen Cole, Chief of Police, at 508-794-5940.

MHFA'S INNER-CITY TASK FORCE

The Massachusetts Housing Finance Agency developed an Inner-City Task Force concept in April, 1986. The goal of the task force was to make fundamental improvements in the quality of life in the neighborhoods, looking beyond the repair of bricks and mortar and focusing on problems of crime and drug trafficking.

Membership on the Task Force includes individuals from the public and private sectors, with expertise not only in housing, but in law enforcement and social services.

MHFA Task Forces have addressed a number of issues. Crime, especially drug-related crime, is at the top of the list of problems which require the attention of the task forces.

Inner City Task Forces are now established in Boston, Western Massachusetts and New Bedford.

WESTERN MASSACHUSETTS RESULTS...

At the July meeting of the Western Massachusetts Inner City Task Force Ms. Marianne Pulaski, property manager at Bay Meadows, spoke about her success in getting her tenants organized to rid the property of drug dealers.

Ms. Pulaski had been receiving frequent calls from tenants about drug problems at the property. She had received nearly 30 calls regarding drug

problems, but when she held a meeting only one person attended. It was time for action. Ms. Pulaski asked for assistance from the CRACK (Community Resources Against Community Killers) Program. First, they identified the units where drug trafficking occurred. Second, she sent letters to the tenants in those units, notifying them that management was aware of their drug dealing. Copies of these letters were also sent to the DA's office.

Tenant participation increased when the CRACK Program became involved. The group, now called the Bay Meadow Action Committee, meets weekly and tenants have been holding candlelight vigils on the last Thursday of every month, carrying signs and chanting. At a recent vigil 20 children and 15 adults participated.

Ms. Pulaski also added that the Springfield Police Department has been "wonderful", and that there have been 2 drug busts on the property and 2 off the property.

For further information on the Inner City Task Force program please contact the Massachusetts Housing Finance Agency at 617-451-3480.

SUMMER FUTURES '92

WORCESTER...

The Worcester Public Schools, in response to the request of the City's Community Action Council and the City Manager's Office of Employment and Training, provided a ten week Summer Futures Program for approximately 600 high school students. The program components included a vocational skills program, computer assisted instruction in mathematics and reading and career development activities. The Summer Futures Program was in session at the Worcester's four high schools and Worcester Vocational High School.

Program Highlights included:

- participation of the Public Health Nurse in the Summer Futures Program including vision tests, hearing tests and general health counseling
- participation of the Worcester Police Department, providing substance abuse workshops
- guest speakers representing a variety of businesses and public agencies
- trip to the New Britain Red Sox co-sponsored by the Worcester Police Department and program staff
- students involved in variety of community service projects at the school sites:
landscaping, painting, and general clean up

Upon completion of the program students were awarded one academic credit.

For further information on the Summer Futures program please contact George Munoz or Anne Quinn at the Worcester Public Schools office, 508-799-3115.

CITY YEAR

The name City Year reflects the idea that young people, following their high school years, should be challenged to devote a year to the city tackling the pressing needs of their community.

City Year was developed by two former Harvard Law School students, Alan Khazei and Michael Brown, who recruited vigorously to develop a diverse volunteer corps.

The volunteer corps began five years ago with 50 kids from all backgrounds, who spent the summer cleaning and repairing the city. Today the group has expanded to 220 (from 800 applicants) and the program has been extended to nine months.

City Year funding is made possible by a partnership between the private and public sectors. In 1992, City Year was named a "national demonstration" program by the Commission on National and Community Service and awarded a major grant, which will account for 25% of its budget over four years and leverage greater private-sector involvement.

The '92-'93 corps of twenty teams will work on more than 200 service projects. Groups of four teams form a division and each division focuses its energy and idealism on a specific service mission. The divisions include:

YOUTH LEADERSHIP - Organizing and running after-school programs, community service clubs and community service classes in the schools.

SCHOOL PARTNERSHIPS - Tutoring, teaching and mentoring children while supporting teachers and administrators in six Boston public schools.

HOUSING & HOMELESSNESS - Helping build and improve affordable housing and provide educational and social services to homeless people and families.

ENVIRONMENT - Encouraging young people in the community to take leadership in conserving the environment through energy and water conservation, recycling, urban gardening and beautification

COMMUNITY BUILDING - Working with Chelsea residents on community service projects including after school programs, park beautification and English as a second language.

Members are between the ages of 17 and 22 and come from 40 greater Boston cities and towns and nine states.

The volunteers are paid \$100 a week and receive a \$5,000 public service award when their service is over to use toward college or vocational training.

SERVE-A-THON...

One of City Year's major successes involves the annual Serve-A-Thon program that is held every October. Serve-A-Thon calls upon citizens to volunteer one day of service to the community by spending the day painting, cleaning, landscaping, or fixing things.

Serve-A-Thon began in 1989 with 500 participants and expanded to 8,000 volunteers in the latest event held on October 24th.

For further information on City Year or the Serve-A-Thon program, please contact the staff at 617-451-0699.

NEWSLETTER CONTRIBUTION

We hope this newsletter has been both informative and useful. The success of the newsletter depends upon your input. We must join together to combat the problems in our urban areas. We hope to highlight several community programs from around the state in the next issue. Please inform our office of any local group, big or small, that you think will benefit others. Contributions to the newsletter can be forwarded to Erin O'Sullivan, Publications Coordinator, Attorney General's Office, 20th Floor.

URBAN ISSUES NEWSLETTER

We hope you enjoyed the first issue of Attorney General Scott Harshbarger's URBAN ISSUES NEWSLETTER. If you are aware of someone we have overlooked on our mailing list, please print their name at the bottom of this form. In the event that you have moved, please fill in the updated information and return the form to Erin O'Sullivan, Publications Coordinator, 20th Floor.

If you have any comments or suggestions, please feel free to include them on this form.

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